

SELECTMEN'S MEETING  
TUESDAY, NOVEMBER 27, 1990  
2ND FLOOR TOWN HALL, MAIN ST., AYER, MA.

7:30 P.M. OPEN MEETING

THE BOARD MET WITH SELECTMAN JONES AND SELECTMAN MCKINNEY, CHAIRMAN SLARSKY WAS ABSENT DUE TO CONFLICT IN MEETING SCHEDULE.

THE MINUTES OF NOVEMBER 13, 1990 WERE READ AND APPROVED WITH THE ADDITION OF THE WORD LIMIT TO PAGE 2, SENTENCE TO READ: THE BOARD ALSO REQUESTED A CAP BE INITIATED TO LIMIT ALL INDUSTRIAL USERS.

THE WEEKLY WARRANT WAS EXAMINED AND SIGNED IN THE FOLLOWING AMOUNTS: PAYROLL: \$300,091.43  
BILLS: \$118,444.71

THE BOARD REVIEWED THE TOWN'S ELEVEN (11) ALCOHOL RENEWAL APPLICATIONS FOR 1991.

C.R. PIERCE, INC.	45 MAIN ST.,	AYER, MA.
AYER PACKAGE STORE	48 MAIN ST.,	AYER, MA.
LARRY'S INC.	FITCHBURG RD.	AYER, MA.
FORT CORP	207 W. MAIN ST.	AYER, MA.
NASHOBA REST. INC.	14 CENTRAL AVE.	AYER, MA.
LASITA REST.	13 PARK ST.	AYER, MA.
ROUXS LIQUORS INC.	63 MAIN ST.	AYER, MA.
CARLIN'S REST. INC.	7 DEPOT SQ.	AYER, MA.
TONY'S OF AYER INC.	9 MAIN ST.	AYER, MA.
JACK-0-LANTERN	2 LITTLETON RD	AYER, MA.
TINY'S DO-NUT TREAT	GROT/SCH. RD.	AYER, MA.

SELECTMAN MCKINNEY MOVED THE BOARD APPROVE THE ALCOHOL LICENSE APPLICATIONS PRESENTED ABOVE FOR 1991, SECONDED BY SELECTMAN JONES, SO MOVED.

SELECTMAN JONES SPEAKING FOR THE BOARD OF SELECTMEN ANNOUNCED THE BOARD OF SELECTMEN'S MEETING NIGHT BEING CHANGED TO MONDAYS EFFECTIVE DECEMBER 10, 1990 DUE TO CONFLICT ON TUESDAY MEETING NIGHTS FOR TWO (2) OF THE SELECTMEN, SELECTMEN JONES ELABORATING THAT THIS WAS THE REASON THAT CHAIRMAN SLARSKY WAS UNABLE TO ATTEND THIS EVENING.

THE BOARD MET WITH MARK ABRAHAMS FROM PEAT MARWICK RE: WATER AND SEWER ACCOUNTING OPTIONS WITH RESPECT TO THE ESTABLISHMENT OF AN ENTERPRISE FUND FOR THESE TWO (2) DEPARTMENTS.

PRESENT FOR THIS DISCUSSION WAS: TOWN ACCT., SHARON SUMMERS, SUPT. OF PUBLIC WORKS, WILLIAM REDFIELD, TOWN TREAS., THOMAS CALLAHAN,

MR. ABRAHAMS PRESENTED THE BOARD WITH HANDOUTS DEPICTING THE TOWNS OPTIONS RELEVANT TO WATER & SEWER REVENUES AND AN OVERVIEW OF THE THREE FUNDING OPTIONS: 1. GENERAL FUND- 2. SPECIAL REVENUE, AND 3. ENTERPRISE FUND.

A BRIEF DISCUSSION WAS HELD GOING THROUGH THE PRO'S AND CON'S OF IMPLEMENTING A ENTERPRISE FUND, THE GENERAL LAWS APPLICABLE, AND VOLUME OF EXTRA WORK DEMANDS RELEVANT TO EVALUATION AND INVENTORY A LOT MORE COMPLICATED AND THE POSSIBILITY OF THE TOWN RETAINING A CONSULTANT TO ASSIST WITH THE START UP OPERATION. MR. HIGGINS STATED THAT IT WOULD BE OVERLY AMBITIOUS FOR THE TOWN TO CONSIDER THIS FUNDING FOR FY-92 AND WOULD PROBABLY TARGET FY-93 TOWN MEETING WARRANT, COPIES OF HANDOUT TO BE DISTRIBUTED TO ADVISORY BOARD MEMBERS FOR THEIR REVIEW.

THE BOARD TOOK THIS MATTER UNDER ADVISEMENT PENDING FURTHER REVIEW.

PUBLIC HEARING: DUNKIN DO-NUTS/FITCHBURG RD., AYER, MA.

SELECTMAN JONES OPENED THE HEARING BY READING THE POSTED LEGAL NOTICE WHICH APPEARED IN THE WEEKLY TOWN CRIER THE WEEKS OF NOVEMBER 8, AND NOVEMBER 15, 1990.

THE BOARD MET WITH STEVE GADZIALA, GENERAL MANAGER FOR DUNKIN DONUTS AND JOHN ROBELLO, FRANCHISE OWNER. MR. ROBELLO PRESENTED TO THE BOARD CERTIFIED LETTER GREEN CARDS ACKNOWLEDGING THAT ALL ABUTTERS TO THE PROPERTY HAD BEEN NOTIFIED OF THE PUBLIC HEARING.

MR. ROBELLO STATED HE HOPED TO HAVE THE RESTAURANT OPEN BY THE FIRST WEEK IN DECEMBER AND THAT HE IS PRESENTLY WORKING WITH NASHOBA ASSOCIATED BOARDS OF HEALTH TO OBTAIN HIS FOOD SERVICE LICENSE. MR. ROBELLO STATED THE DELAY BEING IN THE DELIVERY AND SET UP OF THE KITCHEN EQUIPMENT.

SELECTMAN JONES REQUESTED IF THERE WAS ANYONE PRESENT FOR OR AGAINST THIS LICENSE BEING ISSUED. NO ONE CAME FORWARD. SELECTMAN JONES STATED THE BOARD'S PAST PERFORMANCE BEING ONCE THE FOOD HANDLERS LICENSE IS APPROVED BY NASHOBA ASSOCIATED BOARDS OF HEALTH THE BOARD WOULD THEN ISSUE THE COMMON VICTUALLERS LICENSE. SELECTMAN MCKINNEY EXTENDED A WARM WELCOME TO THE MANAGERS OF DUNKIN DONUTS AND MOVED THE BOARD APPROVE THE COMMON VICTUALLERS LICENSE FOR DUNKIN DONUTS CONTINGENT UPON THE FOOD HANDLER'S LICENSE BEING APPROVED BY NASHOBA ASSOC. BOARDS OF HEALTH, SECONDED BY SELECTMAN JONES, SO MOVED.

MR. ROBELLO REQUESTED FROM THE BOARD PERMISSION TO BE OPEN TWENTY-FOUR HOURS A DAY, SEVEN (7) DAYS A WEEK. THE BOARD APPROVED THIS REQUEST.

THE BOARD APPROVED A ONE DAY BEER AND WINE LICENSE FOR THE AYER GUN & SPORTSMEN CLUB FOR THE FOLLOWINGS DATES: DECEMBER 1, 8, 15, 16, AND 31, 1990.

THE BOARD MET WITH UDAG COMMITTEE MEMBERS REGARDING A DRAFT REPORT SUBMITTED BY THE UDAG COMMITTEE TO THE SELECTMEN DEPICTING THE COMMITTEES ANALYSIS AND RECOMMENDATION RE: EXPENDITURE OF 1.2 MILLION DOLLARS IN UDAG MONEY. THE COMMITTEE OUTLINED TWO (2) PRIMARY OBJECTIVES: 1. RECTIFYING DEFICIENCIES IN THE TOWN'S INFRASTRUCTURE, 2. ENCOURAGE ECONOMIC DEVELOPMENT-THROUGH A POSSIBLE LOAN PROGRAM. THE COMMITTEE OUTLINED THE THREE (3) CAPITAL NEEDS (HIGHEST PRIORITY PROJECTS) ASSESSMENTS VIEWED BY THE COMMITTEE TO BE OF THE MOST CRITICAL IN NEED.

1. INDUSTRIAL PRE-TREATMENT (IMPLEMENTATION & ADMINISTRATION) (\$190,000.00)
2. WATER TREATMENT FACILITY-DESIGN & ENGINEERING. NOT TO EXCEED (\$350,000.00)
3. FINAL DESIGN & ENGINEERING-POLICE STATION. NOT TO EXCEED (\$200,000.00)

RECAP: BALANCE IN UDAG ACCOUNT	\$1,200,000
	- \$ 190,000 (INDUSTRIAL PRE/TREAT
	- \$ 350,000 (WATERTREAT/DESIGN/EN
	- \$ 200,000 (POL. STA. DESIGN/ENG
BALANCE:	\$ 460,000

THE BOARD THANKED TIM AND THE COMMITTEE FOR AN OUTSTANDING JOB AND APPROVED THE UDAG'S COMMITTEE'S RECOMMENDATIONS AS PRESENTED.

THE BOARD MET WITH TIM HIGGINS AND THOMAS CALLAHAN REGARDING THE TOWNS INSURANCE PACKAGE RELEVANT TO THE TOWN ADOPTING A NEW CARRIER TO REPLACE BLUE CROSS/BLUE SHIELD WITH MINUTEMAN-NASHOBA HEALTH GROUP DUE TO LACK OF PARTICIPATION BY TOWN EMPLOYEES AND THE TOWN NOT MEETING BC/BC ENROLLMENT FOR FY-92.

MR. HIGGINS STATED THAT HE AND THE TOWN TREASURER HAD MET REGULARLY WITH THE TOWNS UNIONS AND REASSURED ALL PARTIES THAT THERE WOULD BE NO CHANGE IN POLICY OR RATE. MR. HIGGINS STATED THAT ALL HE WANTED FROM THE BOARD AT THIS TIME WAS THE BOARD ACKNOWLEDGEMENT OF THE PROGRAM IN ORDER TO GO FURTHER WITH THE PROCESS OF CONVERTING OVER.

SELECTMAN MCKINNEY MOVED THE BOARD'S ACKNOWLEDGEMENT OF THE PROGRAM TO DATE, SECONDED BY SELECTMAN JONES, SO MOVED.

EXECUTIVE SECRETARY'S REPORT:

1. THE BOARD WAS PRESENTED THE FINAL DRAFT OF THE LIGHT DUTY POLICY REVIEWED AND APPROVED BY HENRY STEWART, THE TOWNS ATTORNEY FOR LABOR RELATIONS.

SELECTMAN MCKINNEY MOVED THE BOARD APPROVE THIS POLICY BASED UPON ATTY. STEWARTS RECOMMENDATION, EFFECTIVE DECEMBER 1, 1990,

SECONDED BY SELECTMAN JONES, SO MOVED.

2. THE BOARD WAS ADVISED OF MEMO SUBMITTED BY CHIEF CONNORS REQUESTING THE TURN IN OF A POLICE VEHICLE AND THE PURCHASE OF A NEW VEHICLE DUE TO CRUISER CLOSE TO 99,000 MILES. SELECTMAN MCKINNEY REQUESTING AT THIS TIME FOR THE REQUEST TO BE RUN BY THE ADVISORY BOARD, SECONDED SELECTMAN JONES.

3. THE BOARD WAS ADVISED OF COST FOR SET UP AND REMOVAL OF THE TOWN HALL CHRISTMAS LIGHTS BEING \$1,000.00. THE BOARD AFTER CAREFUL THOUGHT STATED DUE TO OTHER MORE IMPORTANT FINANCIAL MATTERS IN FRONT OF THEM THIS YEAR AND BUDGET CONSTRAINTS RECOMMENDED TO BYPASS THE EXPENDITURE OF THIS SERVICE FOR THIS CHRISTMAS SEASON.

4. THE BOARD WAS ADVISED OF THE RECYCLING PRESENTATION BEING THIS SATURDAY THE 1ST OF DECEMBER AT 10:00A.M. AT THE TRANSFER STATION LOCATED ON GROTON HARVARD RD.

5. THE BOARD WAS ADVISED OF THE CARDBOARD BAYLER BEING EXCLUDED FROM THE RECYCLING GRANT. MR. HIGGINS AND DON LEISTIKOW TO PURSUE THE GRANT APPLICATION.

6. MR. HIGGINS PRESENTED THE HOYLE TANNER ASSOC. AGREEMENT AMENDMENT FOR THE \$4,000.00 FOR THE BOARD'S SIGNATURE. SELECTMAN MCKINNEY MOVED THE BOARD APPROVE AND ENDORSE THIS AGREEMENT IN THE AMOUNT OF \$4,000.00, SECONDED BY SELECTMAN JONES, SO MOVED.

MCCARTHY ASSOC.

THE BOARD MET WITH DANIEL MCCARTHY AND WALTER BENNETT REGARDING FIRST AYER REALTY TRUST FOR PARK PLAZA-FITCHBURG RD., AYER, MA. THE BOARD WAS PRESENTED A PROPOSAL RE: COST OF SIGNALIZATION FOR THE MAIN ST./PARK ST. INTERSECTION IN AYER.

EQUIPMENT:	\$60,000
INSTALLATION:	\$30,000
ENGINEERING/PERMITTING:	\$18,000
JOB INSPECTIONS/REPORTS:	\$10,000
CONTINGENCY 10%:	\$11,800
TOTAL CONCEPT BUDGET:	\$129,800

MR. MCCARTHY ALSO PRESENTED THE ANNUAL OPERATING COST BREAKOUT FOR THIS SIGNALIZATION:

REPAIR/MAINTENANCE:	\$2,340/YEAR
BULB REPLACEMENT:	\$ 570/YEAR
POWER CONSUMPTION:	\$ 720/YEAR
MISC. COST/REPAIRS:	\$1,000
OVERALL ANNUAL OPERATING BUDGET:	\$4,630.00

THE BOARD REQUESTED IF ALL MEMOS FROM OTHER BOARDS HAD BEEN REVIEWED, I.E. PLANNING BOARD, POLICE, AND DPW ALONG WITH THEIR

RECOMMENDATIONS BEING ADDRESSED.

MR. MCCARTHY STATED HIS CLIENTS INTENT WITH REGARD TO FINANCING THE SIGNALS BEING 15% OF TOTAL COST. SELECTMAN MCKINNEY REQUESTING WHY BURDEN OF THIS SIGNAL SHOULD BE BORNE BY TAXPAYERS? CITING FINANCIAL CONSTRAINTS PROHIBITING THE TOWN FROM ASSUMING COST OF THIS SIGNALIZATION. THE BOARD REQUESTED MR. MCCARTHY TO RECONTACT THE STATE AND REQUEST MORE INFORMATION AND POSSIBLE FUNDING FOR THIS PROJECT. THE BOARD SET BACK THIS DISCUSSION UNTIL MONDAY, DECEMBER 17, 1990.

THE BOARD MET WITH RITA PEDERSON RE: TELEPHONE POLE LOCATED AT 6 CENTRAL AVE. PROHIBITING THE PARKING OF THEIR AUTOMOBILES ON THE SIDEWALK FOR THE WINTER PARKING BAN NOW IN EFFECT UNTIL APRIL 15, 1991. MRS. PEDERSON REQUESTED IF THAT AREA IN FRONT OF HER HOUSE WAS CONSIDERED SIDEWALK.

CALLED UPON TO ANSWER THAT QUESTION WAS SUPT. REDFIELD WHO STATED YES IT WAS CONSIDERED SIDEWALK. POLICE CHIEF PHILIP CONNORS STATED HIS CONCERN WITH LIABILITY SHOULD SOMEONE GET HIT BY A CAR WHILE WALKING IN STREET, SHOULD THAT SAME AREA NOT BE CONSIDERED A SIDEWALK. CHIEF CONNORS RECOMMENDING THE REMOVAL AND RELOCATION OF THE TELEPHONE POLE.

MRS. PEDERSON STATED WHY THIS PROBLEM? AFTER LIVING THERE FOR 21 YEARS. MR. HALLIGAN STATED THAT THIS PARTICULAR POLE WAS A HEAVILY LOADED UTILITY POLE AND WOULD BE A COSTLY MOVE FOR THE TOWN, AND THAT THE ZBA SHOULD GRANT A SPECIAL VARIANCE FOR PARKING STATING NO BY-LAW PROHIBITS THAT ACTION.

MR. HIGGINS STATED THAT HE HAD MET WITH ALL PARTIES IN AN ATTEMPT TO SOLVE OR COME TO A VIABLE SOLUTION TO THIS SITUATION AND WHILE THIS MATTER WAS STILL UNDER INVESTIGATION HE WOULD REQUEST THAT NO TICKETS BE ISSUED UNTIL A SOLUTION HAS BEEN MADE. THE BOARD APPROVED THIS REQUEST.

SUPT. REDFIELD'S REPORT:

1. SUPT. REDFIELD ADVISED THE BOARD THAT HE AND TIM HIGGINS WERE WORKING TOGETHER TO DRAFT A LETTER TO DEP WHICH WOULD GRANT THE TOWN OF AYER A WATER EMERGENCY DECLARATION, AND THAT THEY WERE NOT READY TO REPORT ON THIS, AT THIS TIME BUT THAT IT WAS IN THE DEVELOPMENTAL STAGE.

2. THE BOARD WAS ADVISED TO A ADMINISTRATIVE ORDER BEING RECEIVED BY SUPT. REDFIELD BASED UPON VIOLATIONS OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM. (NPDES) SPECIFICALLY, THE TOWN OF AYER'S MUNICIPAL WASTEWATER FACILITY HAS VIOLATED THE EFFLUENT LIMITATIONS CONTAINED IN ITS "NPDES" PERMIT. THE ORDER REQUIRES THE TOWN TO BEGIN ITS EVALUATION OF THE VIOLATIONS. SUPT. REDFIELD TO CONTACT EPA FOR CLARIFICATION TO THE 15 DAY START TIME.

3. THE BOARD WAS ADVISED OF THE TOWNS GRANT APPROVAL FROM MASS.

ELECTRIC IN THE AMOUNT OF \$25,068.00.

4. THE BOARD WAS ADVISED OF THE PART-TIME RECYCLING PERSON POSITION BEING ADVERTISED IN THE PUBLIC SPIRIT FOR 11/27/90 AND 12/4/90.

5. THE BOARD BASED UPON SUPT. REDFIELD'S RECOMMENDATION APPROVED HYDRO GROUP OF DRACUT BE AWARDED THE CONTRACT TO CLEAN, REDEVELOP AND BACKFLUSH THE EXISTING SPECTACLE POND WELL #2 FOR THE LOW BID OF \$10,072.50, MOTION MOVED BY SELECTMAN MCKINNEY AND SECONDED BY SELECTMAN JONES. SO MOVED.

6. THE BOARD APPROVED THE FOLLOWING WATER & SEWER CONNECTIONS:

1. 79 JACKSON ST. OWNED BY GEORGE V. MOORE
2. 32 PEARL ST. OWNED BY GEORGE V. MOORE
3. 32 SANDY POND RD. OWNED BY THEODORE COOKE
4. 8 MOUNTAIN RD. DENNIS DAUDELIN
5. 7 SINGLE FAM HOMES -DOUGLAS DRIVE-GEORGE V. MOORE
6. 7 SEDGEWAY -JOHN MCDOWELL
7. SIX-TWO FAM HOMES -SANDY HOLLOW- SANDY HOLLOW REALTY
8. LOTS 1,2, & 3 WRIGHT RD. GEORGE V. MOORE
9. 55 VICTOR DRIVE - OWNED BY GEORGE V. MOORE
10. OFF GROTON SCHOOL RD.-PATRICIA & MICHAEL WALSH
11. 45 PEARL ST. -GEORGE V. MOORE
12. 12 DOUGLAS DR. -GEORGE V. MOORE

10:20P.M. SELECTMAN MCKINNEY MOVED THE BOARD ADJOURN THE MEETING SECONDED BY SELECTMAN JONES, SO MOVED.

10:20P.M. MEETING ADJOURNED.